

SUMMARY OF RECENT RULE CHANGES

Amendments to the Board's Rules and Regulations were effective November 7, 2005. The rules and regulations are available for download from the Board website. If you wish to have a copy mailed to you, please contact the Board at 217-782-4141 or request a copy by e-mailing the Board at webmaster@elections.state.il.us. Many of the changes were the result of previous legislative and policy changes, and therefore, were already being implemented by the Board. Others resulted from passage of HB 1968, and still others were non-substantive changes. A brief summary of the changes is listed below.

- Multiple Filings by State and Local Committees (Section 100.50): If a political committee is filing electronically and the county clerk is participating in the electronic filing waiver program, a local or state/local political committee need only file its disclosure reports electronically with the state and need not file them with the county clerk. Political committees, however, must continue to file copies of their D-1 Statement of Organization forms and any written correspondence with the county clerk. When determining their filing obligations, it is the responsibility of political committees to verify whether the county clerk is participating in the electronic filing waiver program. 10 ILCS 5/9-3,10; 10 ILCS 5/9-10(c-5).
- Filing Option for a Federal Political Committee (Section 100.60): A federal political committee which also qualifies as a state political committee, need not file any disclosure documents with the State Board of Elections. It is still required to file a D-1 Statement of Organization with the Board indicating that it will file campaign disclosure reports pursuant to Section 100.60 of the campaign finance regulations. A federal political committee that also qualifies as a local political committee must continue to file its federal campaign disclosure reports with the county clerk. 10 ILCS 5/9-3.15.
- Reports of Contributions and Expenditures (Section 100.70(b)): The minimum contribution amount required to be reported on a Schedule A-1 is raised from \$500 or more to more than \$500. 10 ILCS 5/9-10(b-5).
- Reports of Contributions and Expenditures – Pre-Election and A-1 Reports (Section 100.70(d)): A political committee that is not organized, by the terms of its D-1 Statement of Organization, to support or oppose a candidate or question of public policy on the ballot at the next election, and that does not make expenditures in excess of \$500, including in-kind contributions, on behalf of or in opposition to any candidate or question of public policy on the ballot, is not required to file a pre-election report and required Schedule A-1 reports, and may instead file a Statement of Nonparticipation. All other political committees are required to file pre-election reports and Schedule A-1 forms. 10 ILCS 5/9-10(b)(b-5).
- Reports of Contributions and Expenditures – Pre-Election and A-1 Reports (Section 100.70(e)): A committee that files a Statement of Non-Participation and subsequently qualifies as a participating committee, shall file a pre-election report within five days. A committee that becomes a participating committee during the five days immediately prior to the election, shall file its pre-election report within 24 hours. In addition to filing the pre-election report, the committee must also file any Schedule A-1s from the date of participation. 10 ILCS 5/9-10(b)(b-5).
- Prohibited Contributions – State Property (Section 100.140): The Board may assess a penalty of up to 100% of the value of any contribution which is in violation of the prohibition against contributions on State property. 10 ILCS 5/9-8.15.
- Sponsoring Entity (Section 100.170): A sponsoring entity is a person that contributes not less than 33% of the total funding of any political committee. To determine whether or not a person is a sponsoring entity, include both the beginning funds available figure and the total receipts on a semi-annual report. 10 ILCS 5/9-3.

- Sponsoring Entity (Section 100.170): A political committee cannot be a sponsoring entity if it is organized by an established political party, a partisan caucus of either house of the General Assembly, or the Speaker or Minority Leader of the House of Representatives or the President or Minority Leader of the Senate in their official capacities. 10 ILCS 5/9-3.
- Civil Penalty Assessments (Section 125.425(e)(3,4)): When calculating civil penalty assessments for delinquently filed pre-election reports, the per business day penalty calculation will stop accruing on the date of the election. 10 ILCS 5/9-10(b)(b-5).
- Civil Penalty Assessments (Section 125.425(e)(5)): The Board was given discretion as to whether a civil penalty should be assessed for delinquently filed A-1 Reports and, if a penalty is assessed, the amount the penalty should be. 10 ILCS 5/9-10(b-5).
- Civil Penalty Assessments (Section 125.425(e)(6)): The Board must now assess civil penalties of \$25 per business day, or \$50 per business day if the committee was formed to support a statewide candidate, statewide ballot issue, or state constitutional amendment, for a delinquently filed D-1 Statement of Organization. The civil penalty is capped at \$5000, or \$10,000 for a statewide candidate, statewide ballot issue, or a state constitutional amendment. 10 ILCS 5/9-3.
- Civil Penalty Assessments (Section 125.425(f)): A political committee now has 30 calendar days in which to appeal an assessed civil penalty rather than 10 calendar days. 10 ILCS 5/9-10; 735 ILCS 5/1-109.
- Civil Penalty Assessments (Section 125.425(j)): A political committee, either active or final, that has been assessed only one civil penalty, will be considered as never having violated the law if, during the two year period following that single civil penalty assessment, it has no further violations. An active political committee that has multiple violations, but has paid all assessed civil penalties, will also be considered as never having violated the law, if it is assessed no other civil penalty during a two year period following receipt of payment by the Board. 10 ILCS 5/9-10.
- Civil Penalty Assessments (Section 125.425(k)): Upon notice by the Hearing Examiner or upon request of either party, a pre-hearing conference may be held for the purpose of simplifying issues, entering into stipulations, discussing settlements, etc. 10 ILCS 5/9-21.
- Licensing of Raffles Conducted by Political Committees (Section 210.10): A political committee need no longer be in existence for at least one year prior to applying for and receiving a raffle license from the State Board. It is eligible to conduct a raffle as soon as it files a D-1 Statement of Organization with the Board. 230 ILCS 15/0.01 et seq.